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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Thirteenth session

SUMMARY RECORD OF THE 241st MEETING

Held at Headquarters, New York,
on Monday, 24 January 1994, at 10 a.m.

Chairperson: Ms. CORTI

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The meeting was called to order at 10.25 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial and second periodic reports of Zambia (CEDAW/C/ZAM/1-2 and Amend.1)

1. The CHAIRPERSON said that the representative of Zambia had been delayed, in view of which the meeting would be suspended pending her arrival.

The meeting was suspended at 10.30 a.m. and resumed at 11.40 a.m.

2. At the invitation of the Chairperson, Ms. Chigaga (Zambia) took a place at the Committee table.

3. Ms. CHIGAGA (Zambia), introducing the initial and second periodic reports of her country (CEDAW/C/ZAM/1-2 and Amend.1), said that the advent in Zambia in 1991 of a multiparty State and the abandonment of central planning had resulted in far-reaching political and economic change with a concomitant impact on women's activities.

4. Under the former political system the Women's League of the ruling United National Independence Party had been responsible for coordinating women's activities, but each political party now had its own grouping on women's issues. Since the change in the political system in 1991, the National Commission for Development Planning had been established by the Government to coordinate women's programmes.

5. While there was no deliberate policy of discrimination against women, women were in a disadvantaged position as a result of historical and cultural factors. Zambia was a male-dominated society and girls were taught the supposed virtues of meekness. That attitude meant, for example, that girls were not encouraged to pursue their education.

6. Since the ratification by Zambia of the Convention, in the context of the United Nations Decade for Women, there had been a steady increase in women's activities. In particular, non-governmental organizations had become extremely active, and the Government had adopted a more interventionist stance. Article 23 of the 1991 Constitution specifically prohibited discrimination, inter alia, on the ground of sex or marital status, an important step forward since prior to that, many people had considered discrimination against women to be socially acceptable.

7. With respect to article 4 of the Convention the Government had adopted special measures to encourage girls to take up technical subjects such as science and mathematics as part of their education. As a result girls now accounted for approximately 20 per cent of students in those areas.

8. Following the adoption of the 1991 Constitution the position of women had also eased in other areas, such as access to credit and loans from financial institutions, which previously had required the approval of a married woman's

(Ms. Chigaga, Zambia)

husband. In addition the Zambian Government was seeking to unify customary and statutory law as it applied to women, for example, the legislation governing succession and inheritance. All those measures represented positive changes.

9. Women had always been active in the political sphere, but were underrepresented. Of 150 Members of Parliament, only 9 were women, and cabinet representation was also low. The Government was now seeking to promote a political system that was genuinely open to both men and women. Because of their relatively poor education many women simply did not have the requisite educational background to compete successfully. Again, the Government was aware of and was seeking to redress the problem.

10. The adoption of the structural adjustment programme had resulted in much belt-tightening in the country, with negative economic and social repercussions. In view of the country's dire economic situation, women's issues were not at centre stage, and were unlikely to receive a high priority for the next five years.

11. Ms. FORDE observed that while the Zambian Government clearly intended to advance the cause of women, the problems were many, and often insurmountable. There was the question of women's education and literacy, and above all the impact upon women of the structural adjustment programme, which, because of its rigidity, was forcing developing countries like Zambia to breach the provisions of articles 13 and 11 of the Convention. The devastating impact of structural adjustment programmes was not emphasized enough in international bodies, and the Committee should highlight it.

12. In the next report, comments on the Committee's General Recommendations would be useful, especially on General Recommendation No. 14 regarding female circumcision and General Recommendation No. 19 regarding violence against women.

13. She commended the fact that Zambian law recognized equality between men and women in regard to their legal capacity (para. 39 of the addendum to the report) [CEDAW/C/ZAM/1-2/Amend.1].

14. Ms. ABAKA observed that, as in the case of Rwanda at an earlier session, the State party should be advised to send as its representative someone who had had a hand in writing the report rather than someone unfamiliar with its contents.

15. The Government had taken a highly commendable approach in establishing Women's Affairs Desks in all Ministries, so that its approach to women's issues could be integrated (para. 16 of the addendum). The next report should indicate whether the Women In Development Department (para. 17) had actually fulfilled its objectives.

16. Ms. AOUIJ said that a good picture had been given of the difficulties of the transition to democracy in political and economic life, a process which often did not favour women.

(Ms. Aouij)

17. One positive aspect had been the development of women's associations: since 1991 a number of non-governmental organizations had joined the pioneering Women's League in promoting women's issues. She wondered what was the role of such non-governmental organizations in the governmental machinery described in paragraphs 16 and 17 of the addendum to the report; and to what extent they were actually participating in the committee established by the Government to review the Constitution. Zambia had done nothing to harmonize its domestic law with the Convention; even its Constitution authorized discrimination in areas where custom had the force of law. Again, it would be interesting to know what the non-governmental organizations were doing to deal with an educational system that reinforced negative stereotypes of women and with negative treatment of women in the media.

18. She believed that the Committee should take a position on the havoc caused by structural adjustment programmes in developing countries.

19. Ms. BRAVO de RAMSEY, while acknowledging that the transition to democracy required time, pointed out that it had in fact been 30 years since Zambia gained its independence and 12 years since it ratified the Convention, yet the situation of women had hardly improved. She wondered why the pace of change had been so slow and whether the obstacles were legal, educational, social and economic, or simply due to custom.

20. Ms. SCHOPP-SCHILLING said that she hoped the reporting guidelines would be followed by Zambia in subsequent reports, although she understood the circumstances that had precluded providing specific data.

21. The impact of the structural adjustment programme should not be invoked too easily as an excuse for not putting women's issues at centre stage. Women represented more than one half of the population and their concerns should not be the focus only when all was going well; moreover, women were those most affected when economic times were hard. One of the tasks of the newly established Women's Affairs Desks in Zambia was to encourage officials of the patriarchal system currently in place to do everything possible to alleviate the impact of structural adjustment programmes on women. Development depended on the development of the female population.

22. Ms. LIN Shangzhen observed that there was much room in Zambia for improving the status of women, who had certainly done their share to liberate the country from colonial rule. She would like more information on the inherent cultural and social factors that prevented women from enjoying their rights, especially the right to employment, which was the key to political participation. She agreed with the conclusions at the end of the addendum to the report.

23. Ms. UKEJE said that she believed the Committee should take a position on the crushing impact of structural adjustment programmes, which should not have the effect of sacrificing women's rights on the altar of other, supposedly more pressing, rights.

24. Ms. GORDOLICH de CORREA observed that in a developing country in full transformation like Zambia it was the women themselves who must tell the Government which women's issues be brought to the fore. The Zambian Government's decision to establish high-level Women's Affairs Desks in the various Ministries would allow women to help decide where funds should be channelled and emphasis put.

25. She regretted that Zambia had let slip an opportunity to include human rights treaty provisions in its domestic law when it had revised the Constitution in 1991. The Government should heed the Committee's recommendations and those lately issued by the Inter-Parliamentary Union urging the adoption of laws to overcome the serious imbalance in political life, in both the legislative and the executive branches of Government.

26. Ms. ABAKA said that the 1991 Constitution still contained many discriminatory provisions, especially with regard to customary law. Fortunately, the President had pledged to review the Constitution and a women's constitutional committee had already been put in place. The next report should indicate what had been done.

27. Ms. BRAVO de RAMSEY asked what was the current status of widows in Zambia and of their right to take care of their children (para. 21 of the addendum) and how the Government intended to protect those rights.

Article 3

28. Ms. ABAKA observed that neither part of the report addressed article 3 in any way and hoped the next report would do so.

29. Ms. SCHOPP-SCHILLING said that she would like the next report to give many more details on the national machinery set up to promote women's issues, especially with regard to their powers, their budget, their structure and their effectiveness.

30. Ms. OUEDRAOGO noted that paragraph 22 of the addendum gave no details on the actual situation of women and how they must advance to arrive at equality with men, and she expected that the next report would do so. The application of laws was always in the final analysis an empirical problem.

Article 4

31. Ms. BRAVO de RAMSEY said she supported the practice of lowering the cut-off marks for women so that more women could qualify for education at the secondary-school level. However, she was concerned that a decision to require quotas could be counter-productive.

32. Ms. KHAN welcomed the incorporation of the Women in Development Unit in the National Commission for Development Planning and the establishment of Women's Affairs Desks to coordinate programmes for women in various ministries and departments in the Zambian Government. In that connection, she wondered what specific measures were being taken to coordinate women's programmes and also how effective the Fourth National Development Plan had been with regard to integrating women in development.

33. Ms. LIN Shangzhen asked for more information concerning the lowering of cut-off marks to make it easier for female students to enter secondary schools. In addition, she wished to know more about measures taken by the Government to encourage women to study scientific and technical subjects, specifically, whether those measures were effective and how the public was responding to them.

Article 5

34. Ms. SCHOPP-SCHILLING said the Committee needed much more information regarding the customary practices and traditions discussed in paragraphs 26 and 27 of the addendum to the report. As a European, she did not have a detailed picture of what those practices were. Moreover, while approving of Zambia's system of quotas for women in secondary education, she wondered why it had been necessary to lower educational standards in order to increase the number of female students. Perhaps girls received a lower quality of instruction at primary-school than boys. In her view, lowering standards could serve to reinforce negative stereotypes about women.

35. Ms. MUÑOZ-GOMEZ said she welcomed the presence of a chapter on the role of women in development in Zambia's Fourth National Development Plan. However, she had questions concerning the special measures adopted by the Government to modify social and cultural patterns of conduct that denigrated women, particularly with regard to the payment of bride price. The Addendum to the main report had not contained enough detailed information on that question. Furthermore, she wondered to what extent conditions had changed for women in rural areas. In particular, she wished to know whether women in rural areas could divorce and whether they encountered violence when they expressed an desire to do so.

36. Ms. KHAN said that, according to reports from non-governmental organizations, violence against women was a very serious problem in Zambia. In fact, according to one source, 4 out of 10 women were abused either physically or mentally by their partners. In that connection, she wanted to know what special measures were being taken by the Zambian Government and other women's non-governmental organizations that were active in Zambia to deal with the problem of violence against women.

Article 6

37. Ms. ABAKA and Ms. BRAVO de RAMSEY wished to know more about the conditions under which Zambian police detained women on charges of prostitution. Concerns had been raised by reports of women being arrested simply for being seen unaccompanied on the street. It would also be useful to know whether the male customers of prostitutes received penalties equivalent to those received by prostitutes themselves.

Article 10

38. Ms. SCHOPP-SCHILLING asked whether there were still programmes to combat illiteracy in Zambia, since the rate of illiteracy in the country was still quite high, particularly among women.

39. Ms. KHAN said she had been surprised to note the high secondary-school drop out rate among women, notwithstanding the efforts of the Government to encourage educational achievement among women. She wondered if poverty had been the main reason for girls dropping out of school after primary school.

Article 11

40. Ms. ABAKA said the presence of large numbers of women in the informal sector of the economy was a common feature of economic life in the developing world, especially in Africa. However, women working in the informal sector were subject to frequent harassment from local authorities and law-enforcement personnel. Women in informal-sector occupations paid taxes and fees and yet were told their activities were illegal. They were often harassed on the pretext that their businesses were being operated in the wrong places or were causing damage to the environment.

41. She believed the international community should consider abandoning the term "informal sector", since it had come to refer to illegal activity and put the activities of women in an unfavourable light. She suggested that women in the informal sector in Zambia could learn from the example of Ghana, where women had begun to organize themselves in associations that would enable them to have some bargaining power with the Government.

42. Ms. ILIĆ said she believed that job security was the one area in which women were most in need of equality. The scarcity of employment in Zambia as a result of the difficult economic situation was driving women out of the job market. She hoped the Government would take steps to increase the overall number of jobs and thereby create more jobs for women. She also wished to know whether there were any professional orientation programmes available for women who had received secondary education and training.

Article 12

43. Ms. SCHOPP-SCHILLING said she had questions about women's reproductive rights, specifically, whether Zambian women had access to contraception, abortion services and population programmes.

44. Ms. KHAN said she had been intrigued by the statement in paragraph 8 of the report that women constituted 60 per cent of the population in Zambia. She wished to know the reason for the discrepancy. She also requested data on the number of female heads of households in Zambia and the maternal mortality rate.

45. Ms. UKEJE said she had questions about the entitlement to maternity leave in Zambia. In particular, whether a woman could apply for maternity leave if less than two years had elapsed since she had given birth. She was concerned that the Government could be using the maternal leave policy as an indirect form of family planning.

Article 13

46. Ms. OUEDRAOGO wished to know what were the leading cuases of death among Zambian women and whether the provision of primary health care services to women and children was helping to reduce mortality rates. Information on those subjects was missing from the report.

47. Ms. ILIĆ wished to know more about family benefits to women and the conditions for receiving them. In addition, she wished to know the conditions under which women were extended credit for small businesses.

Article 14

48. Ms. OUEDRAOGO asked whether further information could be given in subsequent reports regarding Government's efforts to make its programmes accessible to women. It had been learned from previous reports that enhancing public awareness of programmes for women was often crucial to the success of those programmes.

Article 15

49. Ms. UKEJE said that the assignment of civil servants at the rank of Assistant Secretaries to head the Women's Affairs Desks did not appear to be consistent with the important work the units would be called upon to perform. With that in mind, she wished to know more about the specific functions of the Desks, the qualifications of personnel assigned to them, and the size of Desk staffs.

50. Ms. SCHOPP-SCHILLING said the Committee needed additional information regarding female heads of households, specifically, the distribution of female heads of households in urban and rural settings. If women were not allowed access to formal employment, she wished to know how they raised their families.

The meeting rose at 1.15 p.m.